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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,105	02/12/2002	Hideto Machii	P21977	3698
7055	7590	02/09/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			NGUYEN, LUONG TRUNG	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	

2612

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,105

Applicant(s)

MACHII ET AL.

Examiner

LUONG T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/19/02</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto (US 2002/0044212) in view of Arita et al. (US 6,493,061) further in view of Kono et al. (US 6,157,781).

Regarding claims 1,4,5, 8, Hashimoto discloses a surveillance camera system comprising a photographing lens system (lens barrel 18, figures 1A, 1B, page 3, section [0053]), a camera body (camera body 10, figures 1A, 1B, page 3, section [0053]), a color imaging device (CCD 11, figures 1A, 1B, page 3, sections [0053], [0004]) on which an image formed by said photographing lens system is formed is provided; correct aberrations (page 6, section [0080]).

Hashimoto fails to specifically to disclose wherein said photographing lens system is arranged to correct aberrations therein so that the difference between an in-focus position at which the maximum MTF characteristic in a visible light wavelength range of about 400nm to 700nm is obtained and an in-focus position at which the maximum MTF characteristic in a near-

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infrared light wavelength range of about 700nm to 1000nm is obtained is less than 10 μ m.

However, Arita et al. teaches an imaging apparatus, in which the difference between the focal position of the CCD 11 for visible light and the focal position of CCD 11 in the infrared range is calculated by equation $L = (1-1/n)d$, where d is the thickness of the infrared cutout filter (column 11, lines 8-44), it is noted that $(1-1/n)$ is always smaller than 1, for d less than 10 μ m, the difference L will be less than 10 μ m. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hashimoto by the teaching Arita et al. in order to make the focal position of CCD 11 for visible light and the focal position of CCD 11 in the infrared range to be the same position (column 11, lines 22-28). Doing so, a quality image is obtained.

Hashimoto and Arita et al. fail to specifically disclose photographing lens system is detachably attached to the camera body. However, Kono et al. teaches a lens barrel 6 which is detachably mountable on camera body 1 (Abstract, figure 1, column 3, lines 38-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hashimoto and Arita et al. by the teaching of Kono et al. in order to allow the user operates a camera with different type of lens.

Regarding claims 2, 6, Hashimoto discloses a single near-infrared light cut filter (infrared absorbing filter 22, figures 1A, 1B, page 3, section [0053]) and a single transparent plane-parallel plate that are alternatively positioned in front of said color imaging device in said camera body (pages 6-7, sections [0080], [0081]), wherein in day time photography, said near-infrared said color light cut filter is positioned in front imaging device (figures 1A, 1B, page 1, section [0004],

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page 6, section [0080]); and wherein night photography, said transparent of said color plane-parallel plate is positioned in front of said color imaging device (page 6, section [0080]).

Regarding claims 3, 7, Hashimoto discloses the product that multiplies the refractive index of said near-infrared light cut filter by the thickness thereof is the same as that of said transparent plane-parallel plate (pages 6-7, section [0081]).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Midgley et al. (US 6,642,955) discloses surveillance camera system with infrared and visible light bandpass control circuit.

Nasu et al. (US 6,683,730) discloses variable-focus system.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T NGUYEN whose telephone number is (703) 308-9297 or (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 or (571) 272-7308.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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02/05/05


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
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